

**REMARKS**

The specification and claims are being amended to insert patent deposit designations assigned by the American Type Culture Collection (ATCC). Support for the amendments are shown on the enclosed ATCC deposit receipts, further evidencing that the each of the deposits were made under the terms of the Budapest Treaty. All restrictions on the availability of the deposited material will be removed upon granting of the patent.

No new matter has been added.

Entry and consideration of this Amendment are respectfully requested.

Respectfully submitted,



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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: October 6, 2005

ATCC

A8340



10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF  
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

*INTERNATIONAL FORM*

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.

To: (Name and Address of Depositor or Attorney)

ImmunoGen, Inc.  
Attn: Walter Blattler  
128 Sidney Street  
Cambridge, MA 02139

Deposited on Behalf of: ImmunoGen, Inc.

Identification Reference by Depositor:

Mouse Hybridoma cell line: MJ-170  
Mouse Hybridoma cell line: MJ-171  
Mouse Hybridoma cell line: MJ-172

Patent Deposit Designation

PTA-5286  
PTA-5287  
PTA-5288

The deposits were accompanied by:        a scientific description        a proposed taxonomic description indicated above. The deposits were received June 24, 2003 by this International Depository Authority and have been accepted.

AT YOUR REQUEST: X We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested July 8, 2003. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Marie Harris  
Marie Harris, Patent Specialist, ATCC Patent Depository

Date: July 29, 2003

cc: Ms. Susam J. Mack  
Ref: Docket or Case No.: A 8340

# ATCC

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## BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

### *INTERNATIONAL FORM*

#### RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3 AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

ImmunoGen, Inc.  
Attn: Walter Blattler  
128 Sidney Street  
Cambridge, MA 02139

Deposited on Behalf of: ImmunoGen, Inc.

Identification Reference by Depositor:

Patent Deposit Designation

Mouse Hybridoma Cell Line: MJ-173

PTA-5302

The deposit was accompanied by:        a scientific description        a proposed taxonomic description indicated above.

The deposit was received June 26, 2003 by this International Depository Authority and has been accepted.

AT YOUR REQUEST: X We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

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The viability of the culture cited above was tested July 8, 2003. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Marie Harris, Patent Specialist, ATCC Patent Depository

Date: July 29 2003

cc: Ms. Susan J. Mack  
Ref: Docket or Case No.: A8340